

OFFICE OF THE KENTUCKY PAROLE BOARD

*FOR SECRETARY B.G. NORMAN E. ARFLACK
JUSTICE & PUBLIC SAFETY CABINET*



SUBMITTED BY: CHARLES A. WILKERSON
EXECUTIVE DIRECTOR

DECEMBER 2006

Office of the Kentucky Parole Board

The mission of the Kentucky Parole Board is to conduct prompt, fair, impartial hearings on the matters brought to its attention and to take appropriate action. The Parole Board conducts hearings within the eligibility requirements established by statute and regulation that consider the question of parole for convicted offenders. When considering an inmate for parole, the Board considers a number of factors, including:

- The nature of the offense.
- Any prior juvenile, misdemeanor, or felony convictions.
- Input from victims and others who have been affected by the crime.
- Probation and parole history.
- Institutional conduct, participation in rehabilitation programs and relevant psychological evaluations.
- Statements from the sentencing judge and prosecuting attorney.
- Parole Guidelines Risk Assessment
- An evaluation of community resources available to help the offender re-enter society.

Organizational Chart attached

Org chart

Parole Board Members

- ❖ Members and appointed terms (see attachment: “List of Current Parole Board Members”)
- ❖ John M. Coy retired November 1, 2006
- ❖ Joey F. Stanton appointed effective December 1, 2006
- ❖ FY 2005-2006 Board members traveled close to 26,000 miles to various state prisons to conduct parole hearings. This cost the agency approximately \$10,000 in personal vehicle mileage reimbursement. (see attachment)
- ❖ Monthly Schedule for the Parole Board
<http://www.justice.ky.gov/parolebd/schedule/>

Association of Paroling Authorities International (APAI) <http://www.apaintl.org/>

- ❖ APAI provides professional development and training to Board members and staff. They have selected Kentucky to host their national conference in 2008.
- ❖ Board Members, Executive Director and selected senior staff are requesting to attend APAI conference in March 2007 to help with the preparations of the conference coming to Louisville in 2008.
- ❖ Executive Director and Chairman are working with staff and consultants to begin planning for this event.

Terms

Mileage

Administrative Law Judge(s)

- ❖ One Staff Attorney serves as an Administrative Law Judge.
- ❖ 14 contracted attorneys conduct preliminary parole revocation hearings (see attachment: “Contract Administrative Law Judges”)
- ❖ One contract is pending for the Elizabethtown area.
- ❖ Currently in the process of hiring a Legal Secretary II.

Preliminary Parole Revocation Process

- ❖ Due to increases in the number of parole revocations, the Chairman, ALJ, and DOC are conducting meetings to explore possible regulation changes for alternatives to the preliminary hearing process.

CONTRACT ADMINISTRATIVE LAW JUDGES

Section 1: Ashland area:

Mary Hall Sargent

Rhonda Copley

Section 2: Pikeville area:

Donald L. Jones

Section 3: London area:

Katie Gilliam

Section 4: Lexington area:

George Scott Hayworth

D. Eric Lycan

Section 5: Louisville area:

Stan Chauvin III

Keith Hardison

Section 6: Elizabethtown area:

M. Brent Hall

Section 7: Bowling Green/Hopkinsville area:

John Hampton McCracken

Kimberland A. Hoagland

Section 8: Owensboro/Madisonville area:

Judge Dwight Lovan

Section 9: Paducah area:

Charlotte Burton Scott

Section 10: Covington area:

Rene Henrich

William E. Spicer

Section 11: Whitesburg area:

James D. Asher

Support Staff

- ❖ **Staff Assistant, Betty Hawkins** – grade 17 –reports to Executive Director –collects and submits timesheets to Justice Cabinet; personnel liaison; orders supplies.
- ❖ **Executive Staff Advisor, Brenda Hatchell** – grade 16 - directly supervises three agency supervisors and is second line supervisor for the 15 additional staff members i.e., Parole Board Specialists, Support Staff and Victim Services; does research for agency, assists Executive Director with administrative matters, advises Chair and Executive Director on various matters, represents the Parole Board in all DOC and public matters in the absence of the Executive Director, coordinates all medical considerations for the Board and DOC, maintains equipment inventory and assists with all special projects for agency, responds to open record requests; assists with service requests to IT for technical assistance for video conference and office computer needs.
- ❖ **Justice Program Supervisor, Melissa Chandler-Clark**-grade 15- directly supervises the risk assessment central Office staff which includes a Program Coordinator, Parole Board Specialist II, and one Parole Board Specialist I; is the second line supervisor to the risk assessment field staff that includes 6 Parole Board Specialist I's located at various prisons; maintains risk assessment database; oversees risk assessment process and procedures; compiles monthly and annual statistics for the Board and completes other statistical or information requests for Executive Director, Executive Staff Advisor, DOC, Justice or other interested parties; until the Byrne grant ended, submitted quarterly reports and monitored the grant budget; research grants and technical assistance programs that would benefit the agency; assists Executive Director and Executive Staff Advisor with research and special projects; advises on technology issues and submits service requests for IT assistance; represents agency in various meetings regarding such matters above.
- ❖ **Parole Board Specialist II, Amber Ingram**-grade 13- In addition to compiling risk assessments on a specific caseload, supervises 3 Parole Board Specialist I's located at EKCC, LSCC, and NTC. Ensures that all risk assessments are compiled on

CC/CS Transports, EKCC, LAC, BCFC, LSCC, OCCC, BCC, NTC, and MAC inmates prior to their parole eligibility hearing.

- ❖ **Program Coordinator, Carri Sullivan-** grade 13- In addition to compiling risk assessments on a specific caseload, supervises 3 Parole Board Specialist I's located at KCIW, KSR and WKCC. Ensures that all risk assessments are compiled on CI/CD jail inmates, KCIW, LCC, KSR, AC/RCC, WKCC, GRCC, KSP inmates prior to their parole eligibility hearing.

- ❖ **Parole Board Specialist I's, see attachment** (6 field positions and one in Central Office)-grade 12- compiles Parole Guidelines Risk Assessments on all inmates eligible for parole consideration. These staff are located at various state correctional institutions and travel to cover all state and private institutions. They complete thorough file reviews, to abstract information for the risk assessment. They also conduct fact-finding interviews with inmates serving on any felony other than a class D to gain more information and submit additional information to the Board.

- ❖ **Victim Advocate III, Mesha Rogers-** grade 14- responsible for notification to all Commonwealth Attorneys and victims of inmate parole eligibility hearings, coordinates and attends victim hearings and supervises one Adm. Specialist III.

- ❖ **Internal Policy Analyst III, Angie Mitchell** -grade 15- responsible for parole hearing monthly and weekly calendars, attends Board Members meeting, prepares and coordinates the members' weekly docket, communicates with DOC decisions from weekly docket; advises agency of budgetary and statistical information derived from functions directly under her supervision i.e. revocation, reconsideration, requests from DOC for the operation of one Internal Policy Analyst II and three Adm. Specialist III and seasonal and summer employees when employed.

- ❖ **Internal Policy Analyst II, Marian Young** - grade 14 -responsible for issuing all parole violation warrants, review and acceptance of Waivers for Preliminary and Final Parole
revocation hearings; provides statistical information for revocation process; provides administrative support to the Board during parole violation hearings.

- ❖ **Four Adm. Specialists II, see attachment-** grade 12 -attend parole hearings, prepare board decisions for distribution to DOC and inmates, manages central office files, issues parole certificates, processes incoming mail, assists with

revocation and parole violation warrants, victim services, reconsideration requests, answers mail and phones and prepares minutes of all board meetings for historical and statistical purposes.

- ❖ **Legal Secretary II, April Abshire-** grade 10-provides administrative support to the Staff Attorney/ ALJ; assists Central Office support staff with clerical and administrative duties.
- ❖ **Interim Employee** returned in October 2006 to assist support staff in providing support and assistance to the Board members during parole hearings.

Administrative Specialist III's

Kimberly Crews, Mail Desk and Main Receptionist

Wanda Gaines, Certificates and Inmate Files for Parole Hearings

Liz Newton, Board Hearings and PPPRs

Carrie Smith, Victim Services

In addition to the above assignments these staff also supports the Board during parole eligibility hearings to record their action and perform all administrative duties.

Parole Guidelines Risk Assessment

- ❖ The funding for the risk assessment staff and related costs for the program went from Grant funding to General funding in July 2005.
- ❖ The Risk Assessment is an objective tool used by the Parole Board in their attempt to make reasoned and well informed release decisions. It consists of static factors, dynamic factors, and an offense severity.
- ❖ In 2001 the Board obtained a Byrne Grant and hired criminologist Dr. James Austin to research Kentucky recidivism and create a risk assessment. During his study he determined the factors that were predictive of recidivism, which included current offense, revocation history, prior incarcerations, educational level and employment at time of arrest, marital status, age, custody level, program completion, institutional behavior, and substance abuse issues.
- ❖ After using the risk tool for two years, the Board contracted Dr. James Austin to revalidate the instrument. He determined that some of the original factors were no longer reliable so the tool was modified in January 2006 to reflect his new findings. Substance abuse and some inmate programs are no longer considered on the risk instrument. Additionally, the point values will be redistributed on other factors to make the items more predictive.
- ❖ The Parole Board Specialists are basic information gatherers for the Board, whether it is in the form of the Risk Assessment or the Additional Information form. The information they provide to the Board along with the information from DOC is imperative to the Board during their decision-making process.
- ❖ Beginning in November 2006 inmates do not receive copies of the risk assessment and it is not provided under the open records act. This instrument is provided to the Board at the time of the inmate hearings and used at the Board members' discretion.
- ❖ Offense Severity and Parole Guidelines Risk Assessment attached

RISK ASSESSMENT SECTION:

Central Office Staff:

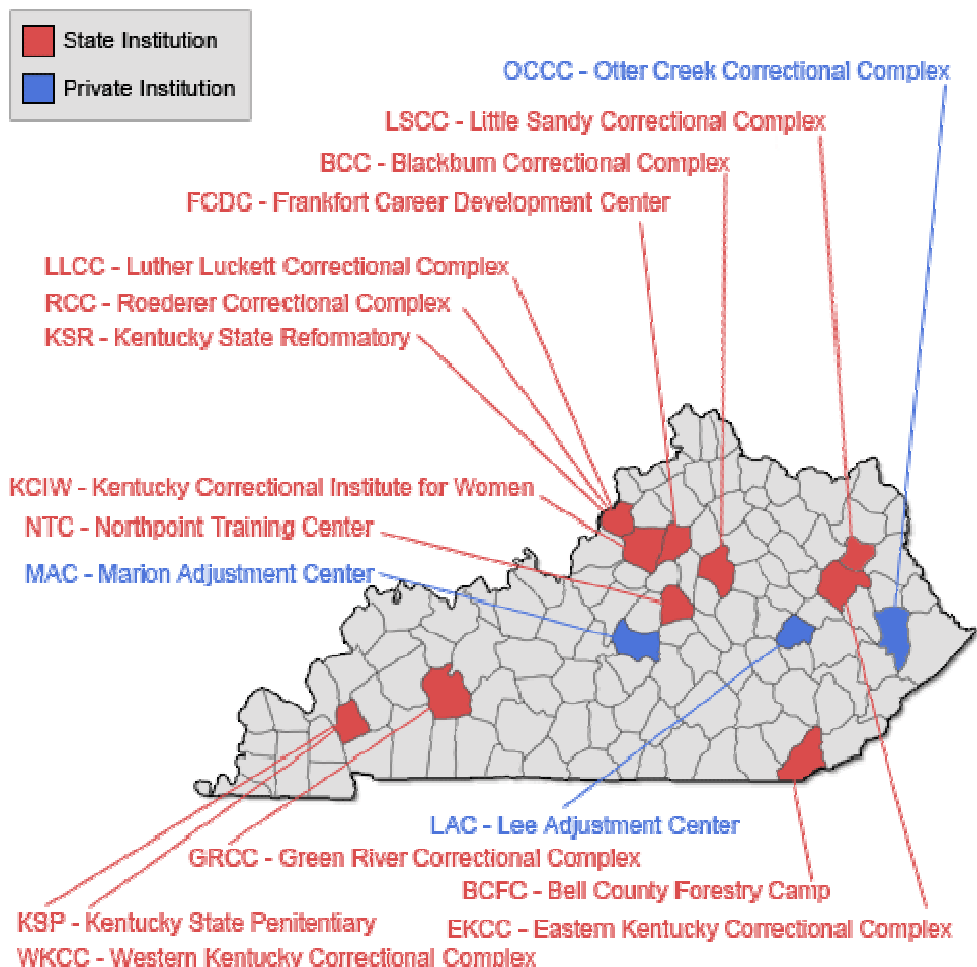
Melissa Chandler-Clark, Justice Prg. Supervisor
Amber Ingram, PB Spec II, E. KY Coordinator
Carri Sullivan, W. KY Prog. Coordinator
Leah Smith, PB Spec I, Jails/Transports/FCDC

Parole Board Spec I's-Eastern Region

Michelle Nickell, EKCC & LAC & BCFC
Larry Downs, NTC & MAC
Ralph Shoaf- LSCC, BCC & OCCC

Parole Board Spec I's-Western Region

Elizabeth Mills, WKCC & KSP & GRCC
Joe Salisbury, KSR & RCC
Jessica Rash, KCIW & LLCC



**STATE OF KENTUCKY
PAROLE GUIDELINES RISK ASSESSMENT**

STATIC ITEMS

1. Current Offense

Theft/Burglary/Robbery **(2pts)** Other **(1 pt)**
Life Taken/Assault/Sex Crimes/DUI **(0 pts)**

2. Any Felony

Yes **(2 pts)**

No **(0 pts)**

Type of Revocation:

Date:

Type of Revocation:

Date:

Type of Revocation:

Date:

3. Prior DOC

One or more **(1 pt)**

None **(0 pts)**

***4. High School Degree/GED or Attending School or
Employed for at least 6 months prior to arrest***

None **(2 pts)**

One Condition **(1 pt)**

Two Conditions Met **(0 pts)**

Education:

Date:

Employment:

Source:

5. Marital Status at most recent DOC admission

Single - Never **(1 pt)**

Other **(0 pts)**

DYNAMIC

6. Age at time of hearing

20 and under **(3 pts)**

21-24 **(2 pts)**

25-44 **(1 pt)**

45 and over **(0 pts)**

7. Current Classification

Community/Restricted **(0 pts)**

Minimum **(1 pt)**

Medium **(2 pts)**

Close/Maximum **(3 pts)**

8. Completed Ed/Voc/Treatment Programs

No **(2 pts)**

Yes **(0 pts)**

ABE

GED

College Degree

SAP

SOT

Vocational Degree:

PI dates:

***9. Most Severe Disciplinary Report in the
last 2 years***

(If in local jail match with DOC category and list)

Cat VI or VII **(2 pts)**

Cat IV or V **(1 pt)**

None/Cat III or below **(0 pts)**

Total Risk Assessment Score:

Overall Risk

0-6 pts Level I; 7-9 pts Level II, 10-12 pts Level III; 13+ pts Level IV

Offense Severity: Highest, High, Moderate, or Low

Parole Board Statute/Regulations/Policies/Practices

- ❖ *Two Member Boards* –Senate Bill 102 amended 439.320 (4) to allow board members to conduct parole hearings and reviews with 2-member panels. The statutory change allows the members to review more cases and to better manage the hearing requirements for the increasing inmate population.
- ❖ *“Third Panel”*–Board members are separated into three panels each week. Two panels conduct parole eligibility hearings for institutional inmates serving on A, B, or C felonies that require a “face to face interview” or conduct final parole revocation hearings. The third panel conducts parole eligibility hearings by file review for Class D felons, reviews reconsideration requests, completes “PV notes” on parole violators prior to the final parole revocation hearings, and conducts other Board business.
- ❖ *Class D Felons* –The Board began in September 2005 reviewing all eligible Class D felons by file review. The board, for many years, has considered all Class D felons housed in jails by file review. However, the change in practice/policy extends now to all Class D felons housed in jails and state prisons. The change in practice allows the board to consider more cases per month and proves to be a significant savings to both DOC and the Parole Board in time and money.
- ❖ *Disciplinary Segregation* - Due to security risks, concerns of DOC and the Parole Board, a new policy was adopted in September 2005 to discontinue face to face interviews for inmates in Disciplinary Segregation. These inmates are reviewed administratively and can not be paroled while in disciplinary segregation.
- ❖ *Youthful Offender Hearings by Video Conference*- The Board has begun conducting hearings for juveniles that are eligible for parole as Youthful Offenders through video conferencing. With the help of Department of Juvenile Justice, the Board Members and staff travel to DJJ’s Central Office to conduct the hearings; this not only reduces the security risk but also saves DJJ the time and money that it took to transport the offender from the juvenile facility to our Central Office in Frankfort.
- ❖ *Bi-Monthly Meetings*—Beginning in January 2007, the Parole Board will begin bi-monthly meetings to discuss appropriate topics. The Parole Board, Staff, DOC, other interested parties will discuss policy, procedure, and other matters of interest.

Current Projects

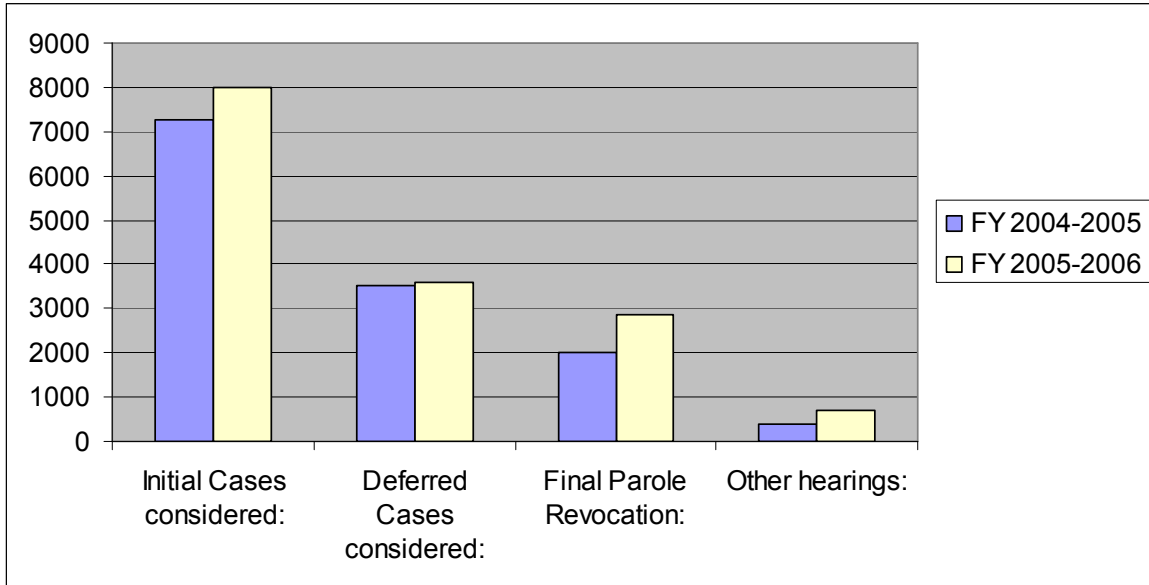
- ❖ Executive Director is exploring the idea of conducting a retreat for the Parole Board and Staff in 2007 at a state resort park.
- ❖ Parole Board, Executive Director and senior supervisor staff are requesting to attend the APAI 2007 Conference in Chicago
- ❖ Executive Director, Chairman, Executive Staff Advisor, and Justice Program Supervisor are in the early phases of planning the 2008 APAI conference that will be held in Louisville.
- ❖ Bi-Monthly Meetings will be conducted in addition to the Monday weekly meeting to give the Board an opportunity to discuss various topics. (see attachment: “Upcoming Topics”)
- ❖ Department Supervisors have begun cross training each other and various employees to prepare for the future of the agency.
- ❖ Department Supervisors are attending JAD sessions with DOC and the creators of their new Kentucky Offender Management System (KOMS) to discuss the effect it will have on the Parole Board procedures. KOMS training will begin in early 2007 and all appropriate staff will have to be training on new processes such as issuing parole certificates, notifying victims, issuing warrants, and recording the parole board actions.
- ❖ Parole Board Specialists working in institutions are being tracked with the help of DOC and their KRONOS system. This not only is for security reasons but also to hold them accountable of their time and attendance.

Current Projects continued

- ❖ Executive Director, Chairman, and supervisor staff are working with DOC senior staff on issues dealing with records, policy, detainers, etc.
- ❖ Justice Program Supervisor is researching hazardous duty retirement for the risk assessment staff that work in DOC institutions.
- ❖ Executive Director and Staff Assistant are working on improving the appearance of Central Office, i.e. pictures in hallways, directory, office tidiness, etc.
- ❖ Executive Director would like to have candidates of the Kentucky Certified Public Management (KCPM) program research presumptive parole or other topics that would be beneficial to the Parole Board.
- ❖ Parole Board's Victim Advocate is meeting with Grants Management Branch to discuss possible grant funding for projects that would benefit the Parole Board and the victims in the communities.

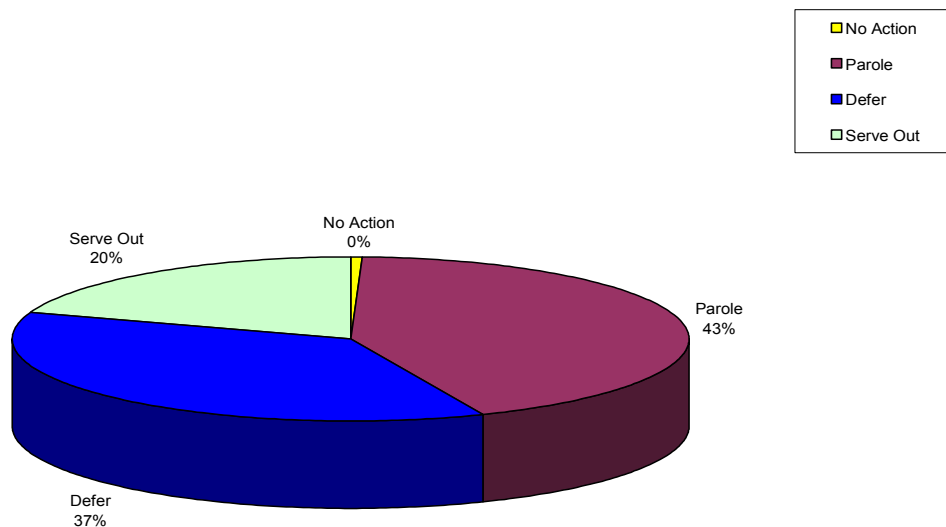
Parole Board Statistics

- ❖ Annual Report FY 2005-2006 (see attachment)
 - Overall parole rate was 43%
 - Board considered 15,135 inmates for release on parole
 - Final Parole Revocation hearings increase close to 45% from FY04-05
- ❖ Comparison between FY 2004-2005 and FY 2005-2006



- ❖ Parole, deferred and serve out rate:

Decisions FY 05-06



Kentucky Parole Board
Annual Report
FY 2005-2006

| | Parole | Defer | Serve Out | Total | |
|--|-----------|--------|-----------|-----------|-------|
| Face to Face Hearings: | | | | | |
| Initial Cases Interviewed | 1520 | 1293 | 162 | 2975 | |
| Deferred Cases Interviewed | 1602 | 429 | 120 | 2151 | |
| File Reviews: | | | | | |
| Initial Cases Reviewed (file review) | 2104 | 1415 | 1511 | 5030 | |
| Deferred Cases Reviewed (file review) | 972 | 245 | 217 | 1434 | |
| Administrative Reviews/Declined Hearings | 4 | 181 | 150 | 335 | |
| TOTAL: HEARINGS AND REVIEWS | 6202 | 3563 | 2160 | 11925 | |
| Parole/Defer/Serve-out Rate | | | | | |
| Initial cases | 45% | 34% | 21% | | |
| Deferred cases | 72% | 19% | 9% | | |
| Hearings | 61% | 34% | 6% | | |
| Reviews | 48% | 26% | 27% | | |
| Admin Review/Declined Hearing | 1% | 54% | 45% | | |
| Other Parole Board Hearings Conducted: | No Action | Parole | Defer | Serve Out | Total |
| Back to Board | 30 | 64 | 123 | 41 | 258 |
| Medical Hearings | 24 | 13 | 1 | 0 | 38 |
| Reconsideration | 17 | 16 | 7 | 0 | 40 |
| Youthful Offender Hearings | 0 | 2 | 8 | 1 | 11 |
| Courtesy Hearings | 0 | 0 | 2 | 1 | 3 |
| TOTAL PAROLE ELIGIBILTY CASES | 71 | 6297 | 3704 | 2203 | 12275 |
| Parole/Defer/Serve-out Rate: | | | | | |
| Parole Eligiblty Cases | 1% | 51% | 30% | 18% | |
| Final Parole Revocations: | | | | | |
| Hearings | | 231 | 1718 | 647 | 2596 |
| Declined Hearings | | 3 | 106 | 155 | 264 |

| | | | | |
|--------------------|-----|------|-----|------|
| TOTAL: REVOCATIONS | 234 | 1824 | 802 | 2860 |
|--------------------|-----|------|-----|------|

| | | | | |
|-----------|--------|-------|-----------|-------|
| No Action | Parole | Defer | Serve Out | Total |
|-----------|--------|-------|-----------|-------|

Parole/Defer/Serve-Out Rate:

| | | | |
|-------------|----|-----|-----|
| Revocations | 8% | 64% | 28% |
|-------------|----|-----|-----|

| | | | | | |
|---|----|------|------|------|-------|
| <u>TOTALS: ALL HEARINGS AND REVIEWS</u> | 71 | 6531 | 5528 | 3005 | 15135 |
|---|----|------|------|------|-------|

Parole/Defer/Serve-Out Rate:

| | | | | |
|--|------|-----|-----|-----|
| All cases considered by the Parole Board | < 1% | 43% | 37% | 20% |
|--|------|-----|-----|-----|

MISC

| | |
|-----------------|-----|
| VICTIM HEARINGS | 214 |
|-----------------|-----|

OTHER BOARD ACTIONS:

| | |
|--|------|
| Preliminary Parole Revocation Hearings (ALJ's) | 1006 |
|--|------|

| | |
|-----------------|------|
| Warrants Issued | 3039 |
|-----------------|------|

| | |
|---|------|
| Accepted Waivers for Preliminary Parole Revocation Hearings | 2180 |
|---|------|

| | |
|--|----|
| Parole Officer Request (special reports for consideration) | 69 |
|--|----|

| | |
|--------------------------|-----|
| Reconsideration Requests | 574 |
|--------------------------|-----|

| | |
|---|------|
| TOTAL VICTIM HEARINGS/ BOARD ACTIONS | 7082 |
|---|------|

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|-------------------------------------|-------|
| PAROLE GUIDELINES RISK ASSESSMENTS: | 12464 |
|-------------------------------------|-------|

| | |
|----------------|-----|
| OPEN HEARINGS: | 274 |
|----------------|-----|

| | | | |
|--------------|---------------|-------|-----------|
| Prepared By: | Melissa Clark | Date: | 11/6/2006 |
|--------------|---------------|-------|-----------|

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|------------------------|----------------------|-------|-----------|
| Reviewed and Approved: | Charles A. Wilkerson | Date: | 11/6/2006 |
|------------------------|----------------------|-------|-----------|

